City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING & DEVELOPMENT

Application Number: 3014172

Applicant Name: Derek Bottles of Avalon Bay Communities

Address of Proposal: 600 East Pike Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 7-story residential building with 249 units located above 15,975 sq. ft. of retail at grade. Parking for 229 vehicles to be provided below grade. Review includes demolition of existing structures (16,100 sq. ft.), rebuilding of one structure on Boylston Ave, and retention of facades of three structures on E. Pike St. and Belmont Ave.

The following Master Use Permit components are required:

Design Review Departures (SMC Chapter 23.41)

Development Standard Departure to allow floor area and height incentive with modified character structures (SMC 23.73.010.B.2.c.3 and 23.73.014.B.2.c)

Development Standard Departure to allow less than 15' setback above a character structure (SMC 23.73.010.B.2)

Development Standard Departure to allow vehicular access from more than one street frontage (SMC 23.47A.032.A.1.c)

Development Standard Departure to allow less than 60% street level transparency (SMC 23.47A.008.B.2.a)

Development Standard Departure to allow less the minimum dimension for loading berths (SMC 23.54.035.C)

Development Standard Departure to allow reduced sight triangles (SMC 23.54.030.G.1)

Development Standard Departure to allow street level uses closer than 10' from the sidewalk or less 4' from sidewalk grade (SMC 23.47A.008.D)

Development Standard Departure to allow more than 50' of street frontage per business on E. Pike St and E. Pine St (SMC 23.73.008.C)

SEPA-Environmental Determination (Chapter 25.05 SMC)

DPD SEPA DETERMINATION:

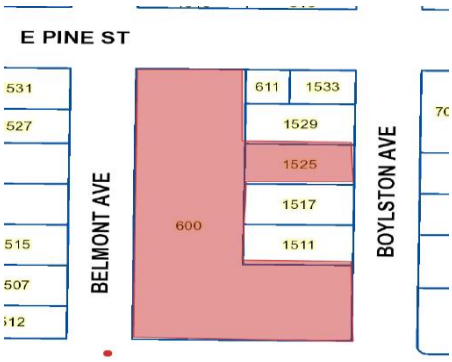
Determination of Non-significance

☐ No mitigating conditions of approval are imposed.

☒ Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts

Site Zone: NC3P-65

Nearby Zones: (North) NC3P-65
(South) NC3P-65
(East) NC3P-65
(West) NC3P-65



Lot: 47,990 square feet, sloping down to the west

Current Development:

The site is located in the Capitol Hill neighborhood bounded by the designated principal pedestrian streets of East Pike St. to the south and East Pine St. to the north. Boylston Ave. is located adjacent to the east and Belmont Ave. is located adjacent to the west.

The site is currently occupied by four Pike Pine character structures associated with the Mercedes Benz dealership and service, and two structures that don't qualify as Pike Pine character structures (built in 1958 and 1983). The northwest corner includes surface parking areas separating the buildings from the sidewalk.

Existing vehicular access is via curb cuts on the street frontages. Pedestrian access is from the street frontages near the south and east sides of the site.

Surrounding Development and Neighborhood Character:

Structures adjacent to the site include 2-3 story residential buildings on Boylston Ave. and 1-4 story commercial buildings on E. Pine St. These structures represent early 20th century architecture. The site is located in the Pike Pine Overlay District, which includes additional regulations for structures older than 75 years old.

Pike and Pine Streets are commercial corridors connecting downtown with the eastern areas of Capitol Hill. This section of Pike Street includes smaller scale retail and mixed-use development.

Belmont and Boylston Avenues are quieter streets, with residential uses and fewer commercial uses. Boylston Avenue is a recently approved design for a new mixed-use development (MUP 3013283).

EARLY DESIGN GUIDANCE MEETING: January 16, 2013

Design Review Board member Chip Wall noted that he lives across the street, but he feels he can review the project without bias.

The packet includes materials presented at the meeting, and is available online by entering the project number (3014172) at this website: http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The packet is also available to view in the file, by contacting the Public Resource Center at DPD:

Mailing Address: **Public Resource Center**
700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

The applicant indicated at the meeting that the proposed development included 3 departures, compared with the original 6 departures shown in the initial EDG packet.

PUBLIC COMMENT

The following comments, issues and concerns were raised during public comment:

- The Pike Pine Urban Neighborhood Council (PPUNC) submitted a comment letter supporting the proposal, with caveats regarding the departures and expression of the architectural concept at the Recommendation stage of review. A copy of this letter is in the DPD file (3014172).
- Supported the proposal to completely save one of the character structures (building 6), with no additions to this building. This structure should include a publicly accessible use to activate the street level, rather than a private residential amenity.
- Noted that the design concept is interesting, but needs to be well-detailed and include quality fenestration and finishes to respond to nearby context.
- Supported removing the mansard roof on the character structures, since it doesn't seem to be original.
- Concerned that the center block courtyard isn't consistent with the context of transparent facades located at the street lot lines.
- Asserted that the folding plane concept is unrelated to nearby context.
- Supported breaking the upper mass on Pike St into two distinct masses.
- Stated that the rationale for the upper setback departure needs to be clear; the Pike Street façade needs to be treated to reduce scale. Reducing the setback locates the upper mass closer to the street and increases the scale.
- Recommended that rather than a closed off central courtyard, a pedestrian connection through the Pike St façade to the courtyard on Boylston should be provided.
- Appreciated the applicant's outreach to the neighborhood.

FINAL RECOMMENDATION MEETING: July 31, 2013

The packet includes materials presented at the meeting, and is available online by entering the project number (3014172) at this website: http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The packet is also available to view in the file, by contacting the Public Resource Center at DPD:

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Board member Dan Foltz disclosed that he was the lead designer for the BMW project across the street, but stated that he could review this proposal without conflict of interest.

PUBLIC COMMENT

The following comments, issues and concerns were raised during public comment:

- The material palette is very contemporary in comparison to nearby early 20th century context.
- The modulation works well to reduce the scale of the building.
- The Belmont residential stoops should include stairs that are perpendicular to the sidewalk, rather than parallel to the sidewalk.
- The Pine Street façade should not include balconies.
- The shadowed landscaped areas may not support the proposed landscape plan.
- The Pike Pine Urban Neighborhood Council (PPUNC) submitted a comment letter. The letter noted appreciation the applicant's outreach, supported the proposed design, recommended additional glazing on the E. Pine Street retail spaces, and expressed concern with the use of color and articulation at the building entry. The letter also included recommendations for high quality storefront design, careful sidewalk and streetscape design, taller street trees, and transparent and visually interesting entry gates.

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance.

EARLY DESIGN GUIDANCE:

1. **Preferred Scheme:**
    a. The Board expressed support for the applicant's preferred scheme.
    b. The Board noted strong support for the proposed adaptive reuse of building 6.

c. The applicant should continue working to design the proposal in response to the adjacent sites. (A-5, A-7, B-1, C-1, C-4, E-2)
d. The residential units at grade should be designed in consideration for providing both human activity at the street level and responding to the need for residents' privacy. (A-2, A-4, A-6, B-2, C-4, D-9, D-10, D-11)
e. The ground floor should be designed for porosity. (A-4, A-7, A-8, B-5, D-1, D-6, D-7, D-12, E-2)
    1) The Board offered more guidance about this item, in relation to the proposed departures described at the end of this report.

2. **Architectural Concept:**
    a. The Board cautioned that the folded plane concept may be challenging to pull off while creating a scale that relates to nearby context. (A-10, B-1, B-2, B-3, B-5, B-7, C-1, C-2, C-3, C-4)
        1) The Board noted that the inspiration images in the EDG packet (page 39) provide a better indication of how to achieve smaller scale and visual interest with the concept.
        2) The Board noted that the recently reviewed BMW site development held back the top floor at 65' as a way to reduce the scale of the building. The proposed development at this site proposes an upper level façade that carries through to the maximum height, without a step back at the top floor. The Board noted that the proposed folded plane concept could provide successful modulation in an alternative to upper level setbacks.

3. **Scale**: The upper levels of the building should relate to the scale of the character structures below as well as reflect the uses in the upper levels of the building. (A-2, A-7, A-10, B-1, B-2, B-3, B-5, B-7, C-1, C-2, C-3, C-4)
    a. The Board noted that the upper levels should not just reflect the scale of the pilasters at street level. Instead, the upper levels should reflect the layering of both the horizontal and vertical scales in the character structures below.
    b. The upper levels of the building should respond to the scale of individual buildings at each street frontage. For example, the upper levels of the building should appear to be two distinct masses on Pike Street, in response to the two different character structures at street level.
    c. The upper portions of the buildings should respond to significant moves in the character structures below. For example, the building above the garage entry on Belmont should be designed to visually enhance that significant portion of the character structure at street level.

FINAL RECOMMENDATIONS:

1. **Architectural Concept and Treatment of Scale**: The Board appreciated the treatment of the upper levels to reduce the scale of the building, the use of materials and datum lines to provide visual interest, and the upper level setback to reduce the appearance of mass. (A-10, B-1, B-2, B-3, B-5, B-7, C-1, C-2, C-3, C-4)
    a. The Board discussed the concept of the red vertical bay above the entry. The Board appreciated the inset bay, since it provides modulation to reduce the scale

of the west façade and provides a visual cue of the primary residential entry location. The Board stated that the vertical element above the entry could be treated differently to be more consistent with the overall design concept, but they left resolution of this area to the discretion of the applicant. (B-1, C-2, C-4)

b. The Board noted that the use of different massing, building planes, and the high quality visually interesting materials are critical aspects in reducing the appearance of mass of the building. (A-10, B-1, C-2, C-3, C-4)
c. The Board discussed the street level design. They noted that the character structures provide visual interest and human scale on the southern portion of the site, and they expressed concern about the lack of visual interest and human scale in the areas where new construction is proposed at the street level. The Board recommended conditions to provide visual interest and human scale to encourage activity at the street level:
    1) The northwest corner retail should be modified to include soffit lighting and warmer colored materials to enhance the northwest corner retail space. (A-2, A-4, A-10, C-1, C-2, C-3, C-4, D-10)
    2) The E. Pine Street retail spaces should be modified to include increased glazing that is flush with the street front façade. (A-2, A-4, B-2, C-1, C-2, C-4, D-11)

2. **Residential Stoops**. The Board expressed concern that the residential stoops south of the primary residential entry are located approximately 7' above the sidewalk, creating the feel of a blank wall at the sidewalk.
    a. The Board recommended a condition that the stairs, wall, panels, and landscaping for the stoops south of the residential entry be designed to create visual interest and human scale for pedestrians. (A-2, A-6, B-2, C-3, E-2)
        1) Possible treatments include stepping back the wall and planters, including additional landscaping, stamping/scoring concrete, clear glazed guardrails.
    b. The residential stair handrails should be designed with open rail systems instead of panels, to reduce the appearance of blank walls near the sidewalk. (A-2, A-6, B-2, B-4, C-3)

3. **Character structures.** The Board discussed the proposed changes to the character structures, and noted that the modifications appear to be consistent with the Pike Pine Design Guidelines.
    a. The mansard roof removal is consistent with the Pike Pine requirements, since this portion of the roof likely wasn't part of the original construction. (B-3, B-7)
    b. Building 4 has been extensively modified so the original street facing façade could not be restored from the current condition. The existing character-defining elements consist of the street facing masonry piers and the wood trusses visible inside the building. The proposal to rebuild this structure with a modern street frontage including the masonry piers and glazing that visually emphasizes the original roof structure is consistent with the intent of the Pike Pine requirements. (B-3, B-7)
    c. The Board also noted that the proposal to not build above this character structure is a positive aspect of the proposal and works to integrate the development into the street frontage. (A-2, B-1)

4. **Exceptional Tree.** This tree is located at the corner of E. Pine Street and Belmont Ave, which is a primary commercial corner. Retention of the tree would result in a setback of the building from this corner, which is inconsistent with the nearby streetscape and architectural context and interrupts the commercial corridor context of E. Pine St. The Pike Pine Guidelines identify potential for small street level gardens in certain areas of Pike/Pine, but the Guidelines specify that these are not recommended for any Avenues or Streets between E. Pine Street and E. Pike Street.
    a. The Board recommended that the proposed design meets the Design Review Guidelines and the Pike Pine requirements better than the alternate design that includes retention of the exceptional tree. (A-2, A-10, B-2, C-1, E-2)

DESIGN REVIEW GUIDELINES

The Neighborhood specific guidelines are summarized below. For the full text please visit the Design Review website.

A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

A-4 Human Activity. New development should be sited and designed to encourage human activity on the street.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

A-6 Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

Pike/Pine: Residential entry ways that feature heavy or contrasting trim, distinctive materials and a link to the surrounding streetscape are encouraged.

A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

Pike/Pine: Locating a significant amount of open space on rooftops is discouraged. Open space at street level that is compatible with established development patterns and does not detract from desired, active street frontages is encouraged. While not characteristic of the historic warehouse, commercial, or apartment development in the area, usable balconies may be appropriate on streets where a more residential character is intended, to provide both open space and visual relief on building facades. In other areas, if balconies are provided, it is preferable that they not be located on street-facing facades, but rather on facades facing the side or rear of the lot, or internal courtyards.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.

A-10 Corner Lots. Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

Pike/Pine: Buildings on corner lots should reinforce the street corner. To help celebrate the corner, pedestrian entrances and other design features that lend to Pike/Pine's character may be incorporated. These features include architectural detailing, cornice work or frieze designs.

The following corner sites are identified as Pike/Pine gateways:

- ***Pike/Boren: southeast corner***
- ***Melrose/Pine: northeast corner***
- ***12th/Pike intersection***
- ***12th/Pine intersection***
- ***Madison: between 11th/12th***
- ***Madison entries onto Pike and Pine***

B-1 Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to nearby, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between the anticipated development potential on the adjacent zones.

B-2 Pike/Pine: Neighborhood Scale and Proportion

New buildings should, in general, appear similar in height, mass, and scale to other buildings to maintain the area's visual integrity and unique character. Although current zoning permits structures to exceed the prevailing height and width of existing buildings in the area, structures that introduce increased heights, width and scale should be designed so their perceived scale is compatible with the existing neighborhood character. The following guidelines address scale and proportion for new structures.

a. Design the structure to be compatible in scale and form with surrounding structures.
b. Relate the scale and proportions of architectural features and elements to existing structures on the block face to maintain block face rhythm and continuity.
c. Address conditions of wide or long structures.
d. For structures that exceed the prevailing height, reduce the appearance of bulk on upper stories to maintain the established block face rhythm.
e. Design the first floor façade to encourage a small-scale, pedestrian-oriented character.

B-3 Pike/Pine: Integration of Character Structures in New Development (Supplemental guidance especially for properties located within the Pike / Pine Conservation Overlay District.)

a. Develop a design Concept.
b. Do not overpower the character structure.
c. Express the relationship between the character structure and new portions of the project.
d. Emphasize the streetscape.
e. Align features of the character structure with features of new portions of the project
f. Consider design treatments that anchor the new structure to the streetscape.

B-5. <u>Through-Block Development</u>

a. Avoid monolithic development on through lots.
b. On blocks bounded by designated principal pedestrian streets, take advantage of opportunities to include through-block connections.
c. Capitalize on opportunities to provide utility functions in through-block development.

B-7. <u>Conservation of Character Structures</u> (Supplemental guidance especially for properties located in the Pike/Pine Conservation Overlay District.)

a. Maintain the architectural integrity of the character structure.
b. Maintain Character-Defining Elements.
c. Recognize the priority for maintaining the original floor-to-ceiling heights in character structures, especially for the ground floor and for features visible from the exterior.
d. Sensitively locate additions so they do not dominate the appearance of the character structure.

C-1 <u>Architectural Context</u>

New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

Pike/Pine: The Pike/Pine vernacular architecture is characterized by the historic auto-row and warehouse industrial features of high ground floor ceilings and display windows, detailed cornice and frieze work, and trim detailing. Architectural styles and materials that reflect the light-industrial history of the neighborhood are encouraged.

C-2 <u>Architectural Concept and Consistency</u>.

- **Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.**
- **Buildings should exhibit form and features identifying the functions within the building.**

C-3 <u>Human Scale</u>. The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.

Pike/Pine: In order to achieve good human scale, the existing neighborhood context encourages building entrances in proportion with neighboring storefront developments.

C-4 <u>Exterior Finish Materials</u>. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

Pike/Pine: New developments should respond to the neighborhood's light-industrial vernacular through type and arrangement of exterior building materials. Preferred materials include: brick, masonry, textured or patterned concrete, true stucco (DryVit is discouraged) with wood and metal as secondary, or accent materials.

D-1 **Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.**

D-6 **Screening of Dumpsters, Utilities, and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.**

D-7 **Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.**

Pike/Pine: Lighting installed for pedestrians should be hooded or directed to pathways leading towards buildings.

D-9 **Commercial Signage. Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.**

Pike/Pine:

- ***a. Promote the pedestrian environment.***
- ***b. Reflect the special neighborhood character.***

D-10 **Commercial Lighting. Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.**

D-11 **Commercial Transparency. Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.**

D-12 **Residential Entries and Transitions. For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.**

E-2 **Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.**

Pike/Pine: The creation of small gardens and art within the street right-of-way is encouraged to activate and enliven the public realm. Vertical landscaping, trellises or window boxes for plants is also desirable. Please see the Design Guidelines document for specific streets along which such treatment is emphasized.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure(s) was based upon the departure's potential to help the project better meet the design guideline priorities and achieve a better overall design than could be achieved without the departure(s).

1. **Floor Area Ratio and Height for Retaining Character Structures (23.73.010.B.2.c.3 and 23.73.014.B.2.c):** The Code requires that in order to qualify for a 25% increase in floor area and a 10' increase in height, the original floor to ceiling height of the ground story of the character structure must be maintained for the full depth of the structure. The applicant proposed to modify the floor to ceiling height in Buildings 1, 2, and 3 shown in the Recommendation packet. Building 1 would have an increased floor to ceiling height for most of the street level, with a reduction in the ceiling height near the rear of the space for a corridor in the second floor, and a reduction in the depth of the structure. Building 2 would have an increased floor to ceiling height. Building 3 would include a small reduction in the ceiling height and extensive changes inside the building to allow loading area and retail support spaces. The applicant noted that the total changes result in an increase of 5'9" to the average ceiling height for the retail areas, with a total increase of 22% in the volume of the retail spaces. One of the character structures (Building 4) would be remodeled to maintain the roof trusses, and no building area would be added above.
   Granting this departure would provide an overall design that would better meet the intent of Design Review Guidelines B-3 and B-7 by maintaining the character-defining aspects of the existing character structures on site, modifying the existing structures to enhance the Pike Pine character, and designing the new construction to enhance the existing character structures.
   The Board unanimously recommended that DPD grant the departure, based on the proposed design.

2. **Setbacks above Character Structures (SMC 23.73.010.B.2.c.2 and 23.73.014.B.2.b):** The Code requires a 15' setback above character structures. The applicant proposes a varied setback as shown in the Recommendation packet (smallest setback is 10'2").
   This departure request would result in an overall design that would better meet the intent of Design Review Guidelines B-1, B-2, B-3, B-7, C-2, and C-4 by designing the new construction portion of the development in response to the character structures, and using high quality and visually interesting materials. The Board noted that the stainless steel shingles enhance the 'tubes and connectors' architectural context and are an important aspect of the overall design concept.

   The Board unanimously recommended that DPD grant the departure, based on the proposed design.

3. **Vehicular Access (SMC 23.47A.032.A.1.c):** The Code requires vehicular access from one of the side streets, when the site is not adjacent to an alley. The applicant proposes parking garage access from Belmont Avenue, and a second curb cut for loading access from Boylston Avenue.
   This departure would result in an overall design that would better meet the intent of Design Review Guidelines A-2, B-2, and D-1 by providing a visually interesting garage door that is consistent with the character structure and using a scoring pattern in the loading access area that is similar to the rest of the sidewalk.

The Board unanimously recommended that DPD grant the departure, based on the proposed design.

4. **Street Level Transparency (SMC 23.47A.008.B.2.A):** The Code requires 60% transparency for street facing facades between 2' and 8' above the sidewalk. The applicant proposes to restore the storefront to the existing openings on Character Structure 1, which will be result in less than 60% transparency at this street frontage.
Allowing this departure request to be granted would provide an overall design that would better meet the intent of Design Review Guidelines B-7 and C-1 by restoring a character structure to the original Pike Pine condition.

   The Board unanimously recommended that DPD grant the departure, based on the proposed design.

5. **Street Frontage for Individual Businesses (SMC 23.73.008.C):** The Code requires a maximum street level frontage of 50 feet per business on E. Pike and E. Pine Streets. The applicant proposes to waive this requirement on both E. Pike and E. Pine Streets.
The Board noted that most of the retail street frontage is well suited to creating individual retail tenant spaces, and this departure doesn't appear to be warranted for E. Pike and E. Pine Streets. Character structure 1 is located on Belmont Avenue, and is the only character structure that might be difficult to divide into retail spaces that are less than 50' wide. The Board recommended denial of this departure, with the condition that multiple businesses sharing one retail space could be allowed to exceed maximum 50' of street frontage. This may be permitted by the Land Use Code, and it's not clear that a departure would be required in this situation.

   The Board conditionally recommended that DPD deny the departure, and recommended condition 6 listed at the end of this report.

6. **Loading Berth Dimensions (SMC 23.54.035.C):** The Code requires loading berths to be minimum 10' wide, 35' long and have minimum 14' clearance. The applicant proposes a loading berth that meets minimum length and width but has a vertical clearance of 13'7" The loading berth would be located inside of a character structure (Building 3) and would be accessed through an existing opening in that facade.
This departure would result in an overall design that would better meet the intent of Design Review Guidelines A-2, A-4, B-2, B-3, and B-7 by maintaining the existing character structure façade, rather than increasing the opening to accommodate additional loading clearance.

   The Board unanimously recommended that DPD grant the departure, based on the proposed design.

7. **Sight Triangles (SMC 23.54.030.G.1):** The Code requires sight triangles that are at least 10' on either side of driveways that are less than 22' wide. The applicant proposes to provide less than the required sight triangles at the loading entrance on Boylston Ave, as shown in the Recommendation packet (approximately 0' on the south side of the driveway and approximately 5' on the north side of the driveway. The loading berth would be located

inside of a character structure (Building 3) and would be accessed through an existing opening in that facade.
This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-2, A-4, B-2, B-3, and B-7 by maintaining the existing character structure façade, rather than increasing the opening to accommodate additional loading clearance.

The Board unanimously recommended that DPD grant the departure, based on the proposed design.

8. **Street Level Standards, Residential Uses at Grade (SMC 23.47A.008.D):** The Code requires street level residential uses to be located 10' back from the sidewalk, or 4' above or below grade. The applicant proposes to locate the street level uses 7' back from the property line and 1' to 3' above grade.
This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-6, C-3, D-7, and D-12 by incorporating screen panels, landscaping, and providing usable outdoor area for residents in the street level units.

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed at the end of this report for treatment of the street level facades and residential stoops.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated July 31, 2013, and the materials shown and verbally described by the applicant at the July 31, 2013 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design and departures, with the following conditions:

1. **The northwest corner retail should be modified to include soffit lighting and warmer colored materials to enhance the northwest corner retail space. (A-2, A-4, A-10, C-1, C-2, C-3, C-4, D-10)**
2. **The E. Pine Street retail spaces should be modified to include increased glazing that is flush with the street front façade. (A-2, A-4, B-2, C-1, C-2, C-4, D-11)**
3. **The Board recommended a condition that the stairs, the wall, the panels, and the landscaping for the stoops south of the residential entry should be designed to create visual interest and human scale for pedestrians. (A-2, A-6, B-2, C-3, E-2)**
4. **The residential stair handrails should be designed with open rail systems instead of panels, to reduce the appearance of blank walls near the sidewalk. (A-2, A-6, B-2, B-4, C-3)**
5. **The proposal should be modified to show that the retail spaces are designed for maximum 50' street frontage per businesses on E. Pike St and E. Pine St, except where multiple businesses share a retail space.**

Applicant response to Recommended Design Review Conditions:

1. The northwest corner soffit has been modified, lighting has been added, and the materials have been modified, as shown in the MUP plan set. The response satisfies recommended condition #1.
2. The East Pine Street retail spaces have been modified to move the storefronts closer to the property line and to increase the amount of street level glazing, as shown in the MUP plan set. The response satisfies recommended condition #2.
3. The stairs, retaining walls, patio panels, and landscaping have been modified to create a better visual transition to the sidewalk, as shown in the MUP plan set. The response satisfies recommended condition #3.
4. The residential stairs will have open handrail systems, as shown in the MUP plan set. The response satisfies recommended condition #4.
5. The MUP plans have been updated to show that the retail spaces are designed for maximum 50' street frontage per business on E. Pike St. and E. Pine St. The response satisfies recommended condition #5.

DECISION – DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED** subject to the conditions listed below.

SEPA ANALYSIS

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated February 21, 2013. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file, and pertinent comments which may have been received regarding this proposed action have been considered.

As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature or limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *"Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation"* subject to some limitations.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for many short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use

Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. Additional discussion of short and long term impacts, and conditions to sufficiently mitigate impacts where necessary, is found below.

PUBLIC COMMENT:

The public comment period ended on April 24, 2013. Comments were received in response to the design review aspects of the proposal.

Short Term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Air

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short term impacts generated from the embodied emissions results in increases in carbon dioxide and other greenhouse gases thereby impacting air quality and contributing to climate change and global warming. While these impacts are adverse they are not expected to be significant. The other types of emissions are considered under the use-related impacts discussed later in this document. SEPA conditioning is not necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675.A.

Noise

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends. Some of the surrounding properties are developed with housing and will be impacted by construction noise.

The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM, unless modified through a Construction Noise Management Plan, to be determined by DPD prior to issuance of a demolition, grading, or building permit, whichever is issued first.

Construction Parking and Traffic

During construction, parking demand is expected to increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The immediate area is subject to traffic congestion during the PM peak hours on nearby arterials, and large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic. The area includes limited and timed or metered on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted.

To mitigate construction truck trip impacts, the applicant shall submit a Construction Haul Route for approval by Seattle Department of Transportation. This plan may include a restriction in the hours of truck trips to mitigate traffic impacts on nearby arterials and intersections. Evidence of the approved plan shall be provided to DPD prior to the issuance of demolition, grading, and building permits.

To mitigate construction parking impacts, the applicant shall submit a Construction Parking Plan for approval by DPD. This plan shall demonstrate the location of the site, the peak number of construction workers on site during construction, the location of nearby parking lots that are identified as potential parking for construction workers, the number of stalls per parking lot identified, and a plan to reduce the number of construction workers driving alone to the site. This plan shall be reviewed by DPD. Approval of the plan is required prior to the issuance of demolition, grading, and building permits.

Long Term Impacts

Long term or use-related impacts are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

Historic Preservation

Four of the existing structures on site are more than 75 years old, in the Pike Pine Overlay District, and therefore qualify as Character Structures. Character Structures are regulated by SMC 23.73 and Director's Rule 3-2012. The existing Character Structures on site are not specifically listed in Director's Rule 3-2012. The proposed development includes retention and remodel of all four character structures on site. Three of the character structures would be retained and the facades would be restored, with some changes to the interior spaces. The fourth character structure would be extensively renovated, with retention of some interior architectural elements. The extent of the changes is described in the Design Review section and in the Design

Review packets available online and in the MUP file, as described in the Design Review section of this decision.

The Design Review process included consideration of the existing structures. The Design Review Board recommended that the proposed development met the Design Review Guidelines and Pike Pine design review considerations, subject to the conditions described in the Design Review section of this decision.

All four character structures are more than 50 years old, and were additionally reviewed for their potential eligibility for historic landmarks. The applicant provided a report on the structures ("Historic Preservation and SEPA Review – Appendix A," dated February 11, 2013, by Nicholson Kovalchick Architects). The Department of Neighborhoods reviewed the information and indicated the structures on site do not appear to be eligible to be designated as historic landmarks (Landmarks Preservation Board letter, reference number LPB 294/13). Therefore, no mitigation is warranted for historic preservation.

Parking and Traffic

As part of the environmental checklist, the project submitted a transportation analysis ("Transportation Impact Analysis 600 E Pike Street," by TranspoGroup, dated February 2013).

The project is expected to generate a net total of 620 daily vehicle trips, with 39 net new AM Peak Hour trips and 53 net new PM Peak Hour trips. The distribution of these trips showed that there will be minimal impacts at nearby intersections. Concurrency analysis also showed minimal impacts from the proposed development.

DPD's Transportation Planner has reviewed the Traffic and Parking Analysis and determined that the additional peak hour trips do not contribute significant adverse impacts requiring mitigation. Accordingly, no mitigation of impacts disclosed in this section is required.

The analysis noted that the residential peak parking demand for this development is expected to be for 164 spaces and peak commercial parking demand is for 24 spaces (188 total). The proposed number of parking spaces (254) would accommodate the anticipated peak parking demand.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in the Capitol Hill Urban Center. This site is located in that Urban Center, and the project is mostly residential with some commercial. Regardless of the parking demand impacts from residential uses, no SEPA authority is provided to mitigate impacts of parking demand from the residential components of this project, even if impacts were identified.

The parking demand for the commercial uses (peak demand for 24 spaces) will be accommodated by the proposed development.

Therefore no mitigation is required for parking impacts, either residential or commercial.

Plants and Animals

Mature vegetation is located on the site, including several trees and one exceptional tree. The location of this tree is described in page 7 of the Design Review section of this document. The

applicant submitted an arborist report from Gilles Consulting and identified the exceptional tree (18.8" DBH Japanese Maple) on the MUP plan set. DPD's arborist has reviewed the information.

Removal of the tree as related to the proposed design is discussed in the Design Review section earlier in this decision. The Design Review Board recommended that the proposed building and landscape design meets the Design Review Guidelines better than a design that retains the existing exceptional tree. The landscape plan proposes new trees that will replace and exceed the canopy of the existing tree at maturity. No mitigation beyond the Code-required landscaping is warranted.

DETERMINATION OF NONSIGNIFICANCE

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

SEPA - CONDITIONS OF APPROVAL

Prior to Issuance of a Building Permit

1. The applicant shall provide a copy of a Construction Haul Route, approved by Seattle Department of Transportation.

2. A Construction Parking Plan, approved by the Land Use Planner (Shelley.bolser@seattle.gov), shall be required.

3. If the applicant intends to work outside of the limits of the hours of construction described in condition #4, a Construction Noise Management Plan shall be required, subject to review and approval by DPD, and prior to a demolition, grading, or building permit, whichever is issued first. The Plan shall include proposed management of

construction related noise, efforts to mitigate noise impacts, and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short - term transportation impacts that result from the project.

During Construction

4. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan, required prior to issuance of a building permit as noted in condition #3.

DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to Certificate of Occupancy

5. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

6. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Shelley Bolser (206) 733-9067 or shelley.bolser@seattle.gov).

For the Life of the Project

7. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

Signature: (signature on file) Date: November 7, 2013
Shelley Bolser, AICP, LEED AP
Senior Land Use Planner
Department of Planning and Development

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